

1 STEVEN J. IGNATZ

2 of the state. I heard nothing about that.

3 Q. All right. You were trained also
4 on 2909.

5 Weren't you?

6 A. I don't know. I know I've read
7 it, but I don't know if I've ever had
8 specific training, per se, in that particular
9 section.

10 Q. Okay. Now, the statute that
11 requires mandatory reporting says it's to be
12 entered irregardless of the circumstances.

13 Doesn't it?

14 A. I don't know what you're
15 referring to.

16 Q. Well, read through it. You can
17 read it to yourself. You don't have to read
18 it out loud.

19 A. (Complies.)

20 Q. Have you had a chance to read
21 that?

22 A. Yes, sir.

23 Q. Now, in your training, as I think
24 you were alluding to, you were trained to
25 read the whole statute.

1

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2

Right?

3

A. Yes, sir.

4

Q. Now, you read part three in

5

conjunction with one and two.

6

Correct?

7

A. I don't have a part three.

8

Q. Well, you just read it hopefully.

9

A. Oh, I thought you meant

10

concealing --

11

Q. No. No. No.

12

A. What was your question again,

13

please.

14

Q. When you read the requirement

15

under 2908 (a) (3) of immediate entry of the

16

children, okay, you read that part in

17

conjunction with the prior two.

18

Correct?

19

A. Yes.

20

Q. All right. And so part one says,

21

you know, that you're to investigate upon the

22

receipt of -- I'm paraphrasing, okay -- of

23

the report. Okay?

24

A. Okay.

25

Q. And then it says regardless of

age of missing child or the circumstances
surrounding the disappearance of the child.

Isn't that correct?

A. Yes.

Q. Okay. Now, the circumstance here
as you're being told is, oh, we know the
children are with the mother.

Isn't that what the
circumstance was?

A. That was my understanding. Yes.

Q. Okay. Doesn't the law
specifically say we don't care what the
circumstances are?

You're to investigate,
write a report and put the children in CLEAN.

Isn't that what the law
says boiled down to its very essence?

A. I think that's accurate. They're
to immediately investigate it and enter the
children into CLEAN if it's warranted.

Q. Right.

Now, an investigator for
CLEAN and knowing that you can only put in
CLEAN information that should be in there you

2 should know that statute.

3 Shouldn't you?

4 So that if somebody gives
5 you a missing child report you know whether
6 that report is proper or not.

7 Isn't that true?

8 A. In what capacity are we talking
9 about?

10 Q. As a person in charge to make
11 sure your CLEAN fails are proper.

12 A. In that position we do not get
13 missing children reports to review or
14 anything like that.

15 Q. So you're telling me the State
16 Police doesn't really care whether the
17 statute is being complied with when a CLEAN
18 entry comes in?

19 Is that what you're
20 telling me?

21 A. No. I'm not telling you that.

22 Q. Okay.

23 A. Because we take this information
24 very seriously, but when it would come right
25 down to it the accuracy of the information

2 was based or would ride upon the report, you
3 know, and we would go out and audit it.

4 Q. Okay. So if I can understand
5 your testimony now all you really wanted to
6 do was see the piece of paper. You don't
7 care what's on it is true or not.

8 A. Well, we did care if it was true
9 or not, but we had no way, obviously, of
10 going over every detail of every report.

11 Q. Well, in this case you had 45
12 minutes for a small piece of paper.

13 A. Right.

14 Q. Okay. What was on that form that
15 wouldn't have been accurate under the law so
16 that the entry should be made?

17 A. It was accurate --

18 Q. Thank you.

19 A. -- under the law.

20 Q. Now, we were talking about State
21 Police now. Now, you should have had
22 something very similar to that.

23 Correct?

24 They should have had a
25 report.

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2 Right?

3 Written report.

4 A. Yes.

5 Q. All right. You should have had a
6 complainant. A victim.

7 Right?

8 A. Okay.

9 Q. And the report should have
10 started immediately when the complaint came
11 in.

12 Correct?

13 MR. HENZES: When you talk
14 about complaint, you're talking about a
15 complaint of a missing child.

16 MR. PURICELLI: Yeah.

17 MR. HENZES: Okay. All
18 right. Because you kind of throw
19 complaint back and forth between that
20 and --

21 MR. PURICELLI: Let's
22 clean it up for you, Randy, so you're
23 not confused.

24 MR. HENZES: No. If
25 somebody else reads it, you sometimes

2 forget somebody who's not in the context
3 of this room --

4 MR. PURICELLI: That's
5 right. That's why I'm going to make
6 sure that -- I didn't really want to do
7 this, but --

8 BY MR. PURICELLI:

9 Q. The complainant is essentially
10 listed as the victim on the State Police
11 missing child form.

12 Right.

13 A. No.

14 Q. No?

15 A. No. The victim is the actual
16 missing children --

17 Q. Really?

18 A. -- on an incident report.

19 Q. You know I can't find it now that
20 I want it.

21 MR. HENZES: It's right in
22 front of you.

23 MR. PURICELLI: No. I
24 have one that's highlighted.

25 MR. HENZES: Whether that

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2 one is or it isn't, it's his
3 understanding that the victim is the
4 children. What someone else may have
5 wrote is what someone else may have
6 wrote.

7 BY MR. PURICELLI:

8 Q. Well, let me ask you this then
9 based on the representations of your
10 attorney: Your understanding should be in
11 conformity with State Police forms and
12 training.

13 Correct?

14 A. Yes.

15 Q. Okay. And, obviously, if the
16 form, when I eventually find it, if it
17 classifies David Bush, person coming in
18 complaining, as the victim, under State
19 Police policy he is the victim.

20 Correct?

21 If the form says he's the
22 victim.

23 A. Yes.

24 Q. Okay. I'm going to show you a
25 document which I'm going to describe as -- I

2 think you'll recognize it as NCIC or computer
3 initial crime response for Pennsylvania State
4 Police. This is just for information at the
5 moment.

6 Okay?

7 A. Yes, sir.

8 Q. Is that a form you utilized in
9 the investigation of a missing child?

10 MR. HENZES: That he or he
11 would use?

12 MR. PURICELLI: State
13 Police.

14 MR. HENZES: Oh, that it's
15 a form the State Police would use?

16 MR. PURICELLI: That's
17 what we're talking about.

18 THE WITNESS: This is a
19 printout of the initial crime query
20 systems.

21 BY MR. PURICELLI:

22 Q. Perfect.

23 A. Okay.

24 Q. Perfect description.

25 Now, before we went on the

2 record today you and I discussed software
3 stuff, correct, just as a casual discussion.

4 Right?

5 A. Yes, sir.

6 Q. And we talked about filling in
7 the blank kind of forms like that.

8 The document I'm showing
9 you now would be generated as a result of
10 somebody filling in the blank on these forms
11 looking like that.

12 Correct?

13 A. Yes.

14 Q. All right. So that document
15 there is generated as a result of an entry
16 made by a State Police official in this case.

17 Correct?

18 A. Yes. Those are typically done by
19 the clerks.

20 Q. Based on what the trooper or
21 investigator writes.

22 A. Yes.

23 Q. Correct?

24 A. Yes.

25 Q. They don't just put their own

1
2 information.

3 Right?

4 A. Correct.

5 Q. Now, that State Police document
6 Randy is looking at now --

7 A. Uh-huh.

8 Q. -- identifies David Bush as the
9 what?

10 A. Randy, may I see it?

11 MR. HENZES: No. This
12 copy identifies him as the victim, too.
13 No one disputes the paper identifies him
14 as the victim and identifies him as the
15 victim on the computer printout.

16 BY MR. PURICELLI:

17 Q. All right. So now that we've
18 gone through that exercise of victim Randy
19 has gotten to the point that I have been
20 describing Mr. Bush correctly as the victim.

21 A. Yes, sir.

22 MR. HENZES: At least by
23 the person who wrote the report.

24 MR. PURICELLI: All right.
25 Let's go down that road for Randy.

2 MR. HENZES: Because,
3 remember, it's not his. You're asking
4 about somebody else's report, Brian, so
5 you're clear.

6 MR. PURICELLI: No
7 problem, Randy. Not at all. I don't
8 mind going down this foundation road.

9 BY MR. PURICELLI:

10 Q. That document that we're looking
11 at is a result of an official State Police
12 form.

13 Correct?

14 A. Yes.

15 Q. And it's supposed to be filled
16 out in accordance with State Police policies
17 and procedures.

18 Isn't it?

19 A. Yes.

20 Q. And the officer or clerk in this
21 case is trained by the State Police on what
22 forms to fill in and what information to put
23 in on those forms.

24 Correct?

25 A. Yes.

2 Q. Now, do you know of any reason
3 that you can tell me why David Bush on these
4 State Police forms is incorrectly identified
5 as the victim?

6 MR. HENZES: Wait a
7 second. There's no -- I object to the
8 form of incorrectly. The question is
9 why he was identified as the victim. We
10 haven't come to a determination whether
11 he's been identified correctly or
12 incorrectly.

13 MR. PURICELLI: That's
14 your argument. I'll stick with my
15 question.

16 MR. HENZES: Well, I'm
17 objecting to the form of the question.

18 BY MR. PURICELLI:

19 Q. Okay. Do you understand the
20 question, Lieutenant.

21 A. I do.

22 Q. All right. Thank you.

23 Please answer it.

24 A. I don't know why he would be
25 listed as the victim on that report.

2 Q. Can you show me where on a
3 missing persons report first page -- you're
4 free to look at this document.

5 MR. HENZES: It's not a
6 missing persons report. It's an
7 incident report.

8 MR. PURICELLI: Let's mark
9 this as Ignatz-4 or five.

10 - - -

11 (Exhibit Ignatz-5, marked
12 for identification.)

13 - - -

14 MR. HENZES: So we're
15 clear, five is --

16 MR. PURICELLI: We're
17 going to go down that road.

18 MR. HENZES: Five is an
19 incident report.

20 MR. PURICELLI: We're
21 going to go down there.

22 MR. HENZES: Well, I'm
23 just telling you. You said it was a
24 missing persons report. I'm just
25 clearing the record up. It's an